



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.9976 of 2022

and W.M.P. (MD) .No.7113 of 2022

WEB COPY

V.Palanivel

.. Petitioner

Vs.

1.The Tamil Nadu State Information Commission,
Chennai.

2.The District Collector,
Karur District.

3.The Assistant Director (Panchayats),
Karur District.

4.The Block Development Officer,
Kadavur Panchayat Union,
Karur District.

5.The Public Information Officer/
The Deputy Block Development Officer,
Kadavur Panchayat Union,
Karur District.

6.Vasudevan

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertain to the impugned enquiry notice, dated 09.05.2022, in Na.Ka.A2/642/2002, issued by the 3rd respondent and quash the same and consequently, direct the 1st respondent to take action against the 6th respondent based on the communication, issued by the 5th respondent in Na.Ka.A5/1470/2022, dated 06.04.2022.

For Petitioner	:	Mr.G.R.Sathish
For Respondent	:	Mr.B.Saravanan for R1
		Standing Counsel
		Mr.A.Kannan for R2 & R3
		Additional Government Pleader
		Mr.S.Kameswaran for R4
		Government Advocate

ORDER

This writ petition has been filed challenging the Enquiry Notice, dated 09.05.2022, calling upon the petitioner to come for enquiry, on 20.05.2022.

<https://hcservices.ecourts.gov.in/hcservices/>



2.Heard the Mr.G.R.Sathish, learned counsel appearing for the petitioner, Mr.B.Saravanan, learned Standing Counsel, who accepts notice on behalf of the first respondent, Mr.A.Kannan, learned Additional Government Pleader, who accepts notice on behalf of the respondents 2 and 3 and Mr.S.Kameswaran, learned Government Advocate, who accepts notice on behalf of the 4th respondent.

3.Based on a complaint lodged by the 6th respondent, proceedings has been initiated against the petitioner, which is the subject matter of the enquiry. The petitioner is aggrieved by the non production of the document referred to in the impugned enquiry notice reflected as serial number 1.

4.It is settled law that an enquiry notice can be challenged only if the same has been issued without jurisdiction or without any authority under law. The present case is not one such case. However, it is the duty of the Enquiry Officer to furnish all the documents to the petitioner, based on which the enquiry is being conducted. The petitioner's grievance is that the document mentioned in the serial number 1 of the impugned enquiry notice has not been furnished to him.

5.No prejudice will be caused to the official respondents, if the said document is furnished to the petitioner to enable him to participate in the enquiry and defend his case.

6.After recording the submissions made by the learned counsel for the petitioner, this writ petition is disposed of by directing the third respondent to furnish a copy of the document reflected in serial number 1 in the impugned enquiry notice to the petitioner, within a period of one week from the date of receipt of a copy of this order. On furnishing the same, the third respondent shall proceed with the enquiry and pass final orders. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Vacation Officer/
Assistant Registrar

// True Copy //

/ /2022
Sub Assistant Registrar(CS)

TM



To

1.The Tamil Nadu State Information Commission,
Chennai.

2.The District Collector,
Karur District.

3.The Assistant Director (Panchayats),
Karur District.

4.The Block Development Officer,
Kadavur Panchayat Union,
Karur District.

5.The Public Information Officer/
The Deputy Block Development Officer,
Kadavur Panchayat Union,
Karur District.

+1 CC to M/s.SPL.GP (SR-24098,24084[F] dated 23/05/2022)

W.P. (MD)No.9976 of 2022
20.05.2022

RD(31/05/2022) 3P 7C